

August 28, 2017

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, August 28, 2017 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Hugh Caffery, Chairman

Gene Harrell, Vice-Chairman

Greg Nolan, Secretary/Treasurer

Francis Richard

Ray Mayet

Donald Schwab

Jake Giardina

Scott LeBlanc

Eli Miles, Jr.

Chris Domangue

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Absent: None

Also present: Dan Grandal; Jason Kennedy; David Boudreaux; Jens Neilsen; Nick Porto; Jerry Waguespack

Ryan Perque; FOBL; John Lafargue, FOBL; Henry &Hattie Templet; Josh Bordelon; Robert Mire

Barry Marionneaux, Attorney; Ben Malbrough, Executive Director; Jana Langley, Administrative Asst.

Moved by Commissioner Donald Schwab, seconded by Commissioner Francis Richard to dispense with the reading of the minutes, and approve the minutes of July 17, 2017. Motion carried unanimously.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina to approve the accounts payable for July. Motion carried unanimously.

Moved by Commissioner Ray Mayet, seconded by Commissioner Donald Schwab to approve the finance report for July. Motion carried unanimously.

Mr. Malbrough reported that everything is operating normal. We are monitoring the weather conditions real close at the pump station, and we are keeping an eye on Hurricane Harvey to see what rainfall will drop on us. We dropped the elevation some in Donaldsonville to accommodate the rain.

Vice-Chairman Gene Harrell stated that it looks like there is a sandbar in the middle of the bayou right past where the railroad structure used to be. Mr. Malbrough advised that he did not see one in the middle of the bayou but it looks like there is some sand accumulating on the LA1 side on the embankment. Vice-Chairman Gene Harrell stated that he saw the one Ben is talking about, and Mr. Malbrough advised that they would look at the other one.

Mr. Malbrough stated that we need to amend the agenda to include a permit application for Eatel, and authorization to sign insurance claim. Moved by Commissioner Jake Giardina, seconded by Commissioner Donald Schwab and unanimously approved to amend the agenda by two-thirds vote to include agenda items to approve a permit for Eatel, and authorization to sign the insurance claim.

Moved by Commissioner Scott LeBlanc, seconded by Commissioner Chris Domangue to approve a permit for Eatel to bore a line under the highway, and fifteen feet from the bottom of Bayou Lafourche to the top of the fiber optic line in Mathews, LA. Motion carried unanimously.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Donald Schwab and unanimously approved to authorize Ben Malbrough to sign the sworn statement for proof of loss for the Enterprise Marine insurance claim in the amount of \$100,000.00.

Mr. Malbrough reported that last month Stantec gave a detailed presentation on the Pump Capacity Improvements Project. The alternatives have been looked at, and they made a recommendation of what alternative to move

forward with. Mr. Malbrough advised that they met with the operations supervisor with CPRA. The alternative that we recommended moving forward with was the footprint for a 1500cfs pump station, with the ability to add the additional pumps if the funding is available. It is the piped in alternative, and also includes some modifications to the sediment trap. CPRA was satisfied with the work that was done. The cost was more than we anticipated, and the cost would be between forty to sixty million dollars. Mr. Malbrough stated that a Corps 408 permit could take between nine months to a year to get.

Mr. Malbrough advised that they are looking at doing a Construction Manager at Risk (CMAR), which is a little different than we normally did public projects in the past. They just passed legislation to allow this delivery method. Mr. Malbrough stated that he plans to have someone attend our Board meeting to give a very detailed synopsis of how CMAR works. You would bring on a CMAR at 30% design, and they would ultimately do the construction of the project. You would pick the contractor based on qualifications that you set out, along with base qualifications that need to be inserted by law. Mr. Malbrough stated that you would have to go through a Request for Qualifications based process.

Mr. Malbrough reported that he is seeking authorization to negotiate an amendment to the contract with Stantec to get to 30% design by the end of the year, with a not to exceed amount is \$750,000.00. Chairman Hugh Caffery asked what percentage are we at now, and how much we have paid Stantec, and Mr. Malbrough answered that we paid Stantec \$972,000.00, of which \$800,000.00 was paid by CIAP.

Mr. Dan Grandal stated that overall they are at 15% design. He advised that by going with CMAR you speed up the process by a year. Mr. Grandal stated that there is an exit in every CMAR contract where for whatever reason you cannot negotiate a final contract with them, you are allowed to get out and bid it out the just like you normally would. He advised that at the point when you are at 60% design, you have to submit it to the Corps for the 408 permit. Commissioner Jake Giardina and Commissioner Jake Giardina asked for figures, and Mr. Malbrough answered that he could put together a spreadsheet of the cost to get to 30% design.

Mr. Jason Kennedy reported that his concern is the 408 permit process because it is a new process, and it is a very thorough review of an engineering project. The 60% design is a key level in order to submit their package to the Corps, and have them start reviewing that 408 process. He stated that the Corps is not doing any reviews right now because the federal government has nothing in their budget to process 408 reviews.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Eli Miles, Jr. and unanimously approved to authorize an amendment to the contract with Stantec in an amount not to exceed \$750,000.00 to get to the 30% design by the end of the year for the Pump Capacity Improvements Project.

Mr. Malbrough advised that we had originally looked at putting a water control structure at the water treatment facility in Napoleonville. An analysis was run to see what would happen to the water surface elevation if we would have to shut the pump station down. We did well in the Donaldsonville area but we were concerned with the water surface reduction we would see in the Napoleonville area.

Mr. Malbrough stated that Royal Engineers and FTN worked on the task to see where the best place would be to place a structure. They did an analysis to place a structure between the Labadieville Bridge and St. John. Mr. Malbrough showed a graph of the analysis, and the water surface elevations with different scenarios.

Mr. Malbrough showed pictures of the different types of structures, and explained how each would work. He asked for approval to go through a study and report phase, which would involve site selection, the structure type and component, and a cost estimate. We could also have them look at numerous alternatives.

Moved by Commissioner Greg Nolan, seconded by Vice-Chairman Gene Harrell and unanimously approved to negotiate an amendment to the existing contract with Royal Engineers for an amount not to exceed \$30,000.00 to do the study and report phase to present an alternative analysis back to us hopefully in the next two months to move forward on the full design on a water control structure, or possibly two water control structures.

Mr. Malbrough reported that we have \$765,000.00 of capital outlay money for the Donaldsonville Drainage Project for construction of the two proposed pump stations in Donaldsonville just north and south of the railroad bridge along LA 308. He asked for approval of an amendment to the engineering contract to do the required permitting.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Eli Miles, Jr. and unanimously approved to amend the engineering contract with All South Engineers in the amount of \$28,000.00 to do the required permitting, and prepare right-of way plats for the Donaldsonville Drainage Project.

Moved by Commissioner Donald Schwab, seconded by Commissioner Ray Mayet and unanimously approved to adopt a resolution to approve the two year renewal appointment of Ben Malbrough to serve and represent the Bayou Lafourche Fresh Water District on the Louisiana Community Development Authority's Board of Directors.

Moved by Jake Giardina, seconded by Commissioner Donald Schwab and unanimously approved to authorize Ben Malbrough to present the Act of Donation to Lafourche Parish Government for the Bayou Lafourche Fresh Water District to take back ownership of the saltwater control structure in Lockport, and authorize Ben Malbrough to execute the Act of Donation.

Moved by Commissioner Jake Giardina, seconded by Vice-Chairman Gene Harrell and unanimously approved to authorize Ben Malbrough to execute the Act of Donation for the parcel of property owned by Jerome Cantrelle, which is located adjacent to the saltwater control structure in Lockport, LA. This Act of Donation is contingent upon the Act of Donation with the Lafourche Parish Government for the transfer of the saltwater control structure being accepted. Commissioner Jake Giardina asked if we are going to get an appraisal on the property so that Mr. Cantrelle can get a tax write off, and Mr. Malbrough answered yes.

Mr. Malbrough reported that the District previously amended Ordinance No. 5 in 2014 regarding permitting of structures along Bayou Lafourche. We recently had T. Baker Smith take the cross section of the dredged section of the entire bayou, and transposed that in GIS from Donaldsonville to the intracoastal where our permit ordinance stops. They transposed that cross section of channel with the water surface elevation of 1000cfs. We are proposing to change our permit ordinance to use the intersection of those lines as the limits of allowing structures to be permitted.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard and unanimously approved to publish a notice to hold a public hearing September 18, 2017 to propose an amendment to Ordinance No. 5 regarding using a definitive line from Donaldsonville, LA to the intracoastal in Larose, LA where permitted structures can be built where they would not come in conflict with our dredging operations in the future.

Mr. Malbrough requested that we form an insurance committee to come up with ideas and possibilities for our insurance renewal next year. Chairman Hugh Caffery asked for any volunteers and Scott LeBlanc, Chris Domangue, and Francis Richard volunteered so far to serve on the committee.

Commissioner Ray Mayet asked about the status of the Donaldsonville boat launch repairs, and Mr. Malbrough answered that the parish is not warm and fuzzy about taking it but the city is receptive. He advised that he spoke with Mayor Sullivan, and he is talking with his attorney about taking it over.

Ryan Perque, the new Executive Director of Friends of Bayou Lafourche (FOBL), introduced himself to the Board, and stated that he started August 7th. He gave an update on the Friends of Bayou Lafourche (FOBL) as follows:

RECREATIONAL

- Nicholls bayou side is the biggest priority. FOBL secured a grant through the Lafourche Tourism Commission. Those dollars are dedicated to the design of the bayou side park. Ben, John, Mr. Jake and he met with Dr. Bruce Murphy at Nicholls this morning to discuss the Cooperative Endeavor Agreement to begin the process of design, and public input to revitalize that bayou side park.
- Complete an inventory of all public access points all along the bayou to gather information, such as exact location and what that facility has available.
- City of Thibodaux councilman Badeaux had some interest in a boat launch in the Thibodaux area. The city got a local design firm to present some options for a boat launch. The options were provided by the city, and he and councilman Badeaux talked about the options, and how things will proceed.

OUTREACH

- Made some changes to website to make it a little more user friendly, added additional contact information, and created some social media outlets to better engage the public.
- Spoke to the student government president, and they are looking at doing a large scale project sometime in the spring. They decided they want to do something on Bayou Lafourche, and will stay in touch with them on that project.
- Spoke Nicholls advertising professor, and she has a class this semester where she can divide the classes into groups and get them involved in different organizations to propose advertising methods and ways to get out into the community. We were lucky enough to get a group from the advertising class.
- In the process of developing informational brochures, as well as digital presentation to use when we go to visit different community organizations. Developing different membership programs to engage people up and down the bayou.
- Will be meeting with officials and community leaders and organizations to let them know that we are here, and what our purpose is. Doing our best to increase activity on the bayou.

Chairman Hugh Caffery welcome Ryan Perque to the Friends of Bayou Lafourche, and to the District. He stated that Ryan has huge opportunities ahead of him, and he is just the person to take advantage of them. Mr. Perque stated that he appreciates that, and they certainly appreciate the dedication that they get from the District.

Chairman Hugh Caffery asked for any public comments, and there were none.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved the meeting adjourned at 6:40 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

